



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,205	11/27/2000	Gregory Zoller	CSCO-71519.US.P	7874

7590 03/11/2004

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

HOANG, PHUONG N

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/724,205

Applicant(s)

ZOLLER ET AL.

Examiner

Phuong N. Hoang

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 23 are pending for examination.
2. The cross reference related to the application cited in the specification must be updated (i.e. update the relevant status, with PTO serial numbers or patent numbers where appropriate, on page 10 lines 20 – 24; the entire specification should be revised).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1 – 23 are rejected under 35 US.C. 103(a) as being unpatentable over Mowbray, “The Essential Corba” pages 35 – 53, 184 – 187, 212 – 213, and 250 - 255, in view of UCS “UCS Architecture” pages 1 – 2.**

5. **As to claim 20**, Mowbray teaches the steps of providing communication between a Practical Extraction Report Language (PERL) program and a distributed object comprising:

a) means for translating a call from the script program (wrapping with scripts, p. 253) to a format substantially compliant with a Common Object Request Broker Architecture (IDL, page 35 – 53).

b) means for translating a response from the call to a format substantially compliant with the script program (When IDL is mapped into a programming language, arguments are generated automatically and the rest are user-defined parameters, and the programming language here can be C or scripting language; page 40 section “Implementing OMG IDL Specification” and page 253).

Mowbray does not teach the script, and the script is written in Practical Extraction Report Language (PERL).

UCS teaches script application is written in PERL (Perl, page 1).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Mowbray and UCS's system because UCS's Perl scripting language is an interpretive language, which is easy to build and test.

6. **As to claim 21**, Mowbray teaches the means to access the distributed object (data object, page 186) via Common Object Request Broker Architecture (CORBA) (ORB, p. 184 – 187 on fig. 7.9 – 7.12).

7. **As to claim 22, 23**, Mowbray teaches the means for converting a data structure into a form or request (IDL, p. 35 – 53) which is substantially compliant with a program

which accesses the distributed object via the Common Object Request Broker Architecture (CORBA).

8. **As to claim 1**, it is a method claim of claims 20.b, e, and 21.c. See the rejection for claims 20.b, e, and 21.c. Further, Mowbray modified by UCS teaches the steps of:

a) receiving a request from the PERL program, the request specifying the distributed object (Mowbray, ORB, page 250 on figure 8.2, p. 185 on fig. 7.10);

d) receiving a response from the call in the step c) (Mowbray, ORB receives the response from object Implementation, p. 185 on fig. 7.10).

f) passing the translated response from the step e) to the PERL program (Mowbray, ORB passes the response back to client, fig. 7. 10 of page 185, fig. 8.3 of page 255) .

9. **As to claim 2**, see rejection of claim 22 above.

10. **As to claim 3**, Mowbray teaches the step of client stub (client stub, fig. 3.2 and 3.4 on page 38 – 42).

11. **As to claim 4**, Mowbray teaches the step of an adapter program converting the PERL request into a request which is substantially compliant with the Common Object Request Broker Architecture (CORBA) format (see Mowbray; IDL, p. 35 – 53).

12. **As to claim 5**, Mowbray modified by UCS teaches the step of wherein the adapter program is written in a first programming language (see Mowbray; IDL on p. 35 – 53) and the PERL application is written in second programming language (see UCS; scripting language, page 1), the first and the second programming languages being different.

13. **As to claim 6**, Mowbray teaches the step of wherein the adapter program is substantially compliant with the C programming language (see Mowbray; C on page 40 on section “Implementating OMG IDL Specification.”).

14. **As to claim 7**, UCS teaches the step of wherein the PERL program is located on a first computer system and the distributed object is located on a second computer system (see UCS; Accesing UCS components through a Remote Web Server, page 2 last paragraph).

15. **As to claim 8**, Mowbray modified by UCS teaches the step of an adapter program (see Mowbray; IDL, p. 35 – 53) converting a data structure into a form which is substantially compliant with the Practical Extraction Report Language (see UCS; Perl on page 1).

16. **As to claim 9**, Mowbray teaches the step of a plurality of objects (object services, page 47 - 48) described in an Interface Definition Language (IDL), providing a

corresponding plurality of translations in an adapter program, wherein the adapter program translates between a communication program and the PERL program (it is the functionality of adapter).

17. **As to claim 10**, Mowbray modified by UCS teaches the steps of the PERL program accessing user information over a number of databases (see Mowbray; database, page 185) by connecting to a server via the CORBA.

18. **As to claim 11**, it is an instructions claim of claim 1. See rejection for claim 1 above.

19. **As to claim 12**, see the rejection of claim 4 above.

20. **As to claim 13**, Mowbray teaches the step of wherein the distributed object is located on a remote computer system (Mowbray teaches the system is client-server environment which is remote computer system, p. 212 – 213).

21. **As to claim 14**, see the rejection of claim 3 above.

22. **As to claim 15**, Mowbray teaches the step of converting a data structure into a form (IDL, p. 42) which is substantially compliant with the data structures of the client stub.

23. **As to claim 16**, Mowbray teaches the computer stored the PERL program and the distributed object (software development, fig. 1.1 and pages 13 – 15).

24. **As to claims 17 and 18**, see the rejection of claims 8 and 9 above.

25. **As to claim 19**, UCS teaches Perl-xs (see UCS; perl ext., figure on page 1).

Response to Arguments

26. Applicant's arguments filed on 12/18/03 have been fully considered but they are not persuasive.

27. Applicant argued in substance that

1. The combination of Mowbray and UCS fails to teach translating a request from either PERL or a scripting language to CORBA.

2. Mowbray fails to mention PERL or any scripting languages for which a mapping currently exists.

3. Applicants do not understand how a potential mapping could be accomplished between OMG IDL and a scripting language.

28. Examiner respectfully disagree with applicant remark:

As to point 1, see paragraph 5 above, it is the combination of Mowbray and UCS teaches CORBA for defining interfaces called OMG IDL for multiple languages mappings in cross-platform environment. Mowbray teaches CORBA for defining interfaces called OMG IDL for multiple languages mappings in cross-platform environment (pages 35 – 53) including scripting languages (pages 253 – 254). UCS teaches Perl scripting language talking to Java via bridge.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Mowbray and UCS's system because UCS's Perl scripting language is an interpretive language, which is easy to build and test.

As to point 2, Mowbray teaches wrapping with scripts (page 253 –254). As mentioned above in point 1, UCS's Perl is an example of a scripting language.

As to point 3, Mowbray (pages 35 – 53), teaches over the system of how client applicant communicates with distributed object through OMG IDL (fig. 3.2 on page 38). When IDL is mapped into a programming language, arguments are generated automatically and the rest are user-defined parameters; the programming languages here can be C or scripting language (page 40 section "Implementing OMG IDL Specification" and page 253). Examiner also provides a whole chapter of reference that Mowbray teaches types of wrapping (see cited references Form PTO-892).

Conclusion

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

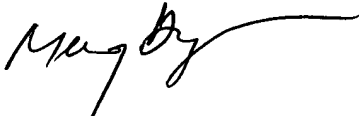
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph
February 23, 2004


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100